

CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-0300 and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: April 20, 2006By: 

**RECEIVED
CENTRAL FAX CENTER**

APR 20 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **PATENT**

Applicant:	David S. Bonalle	Docket No.	60655.9700
Serial No.:	10/708,834	Filing Date:	March 26, 2004
Group Art Unit:	3621	Examiner:	Nam V. Nguyen
Title:	METHOD AND SYSTEM FOR KEYSTROKE SCAN RECOGNITION BIOMETRICS ON A FOB		
	Confirmation No.:		

**TERMINAL DISCLAIMER TO OBLIGATE
A PROVISIONAL DOUBLE PATENTING REJECTION
OVER CO-PENDING APPLICATION**

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The owner, American Express Travel Related Services Company, Inc., of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on the pending reference Application Number 10/708,836 which was filed on March 26, 2004, as such term is defined in 35 U.S.C. §§ 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the

AmExp. 200601420
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Serial No. 10708,834

Attorney Docket No. 60655.9700

reference, application is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record, Reg. No. 54,073.

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Serial No. 10/708,834

Attamey Docket No. 60655.9700

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814.

Respectfully submitted,

Dated: April 20, 2006By: Kirk Dorius
Kirk Dorius
Reg. No. 54,073

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<p style="text-align: right;">P 10/58/17 (01-06)</p> <p style="text-align: center;">Approved for use through 07/31/2006, OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE</p> <p><small>Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.</small></p> <p><small>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 1818).</small></p> <p>Fee Transmittal For FY 2006</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>TOTAL AMOUNT OF PAYMENT (\$) 480.00</p>		<p style="text-align: center;"><i>Complete if Known</i></p> <table border="1"> <tr> <td>Application Number</td> <td>10/708,834</td> </tr> <tr> <td>Filing Date</td> <td>March 26, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>David S. Bonalle</td> </tr> <tr> <td>Examiner Name</td> <td>Nam V. Nguyen</td> </tr> <tr> <td>Art Unit</td> <td>3621</td> </tr> <tr> <td>Attorney Docket No.</td> <td>60655.9/00</td> </tr> </table> <p style="text-align: right;">RECEIVED CENTRAL FAX CENTER</p> <p style="text-align: right;">APR 20 2006</p>		Application Number	10/708,834	Filing Date	March 26, 2004	First Named Inventor	David S. Bonalle	Examiner Name	Nam V. Nguyen	Art Unit	3621	Attorney Docket No.	60655.9/00																																																										
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<p>METHOD OF PAYMENT (check all that apply)</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____</p> <p><input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 10 2814 Deposit Account Name: Snell & Wilmer LLP</p> <p>For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)</p> <p><input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge fee(s) indicated below, except for the filing fee</p> <p><input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) <input checked="" type="checkbox"/> Credit any overpayments</p> <p><small>under 37 CFR 1.16 and 1.17</small></p> <p><small>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</small></p> <p>FEES CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)</p>																																																																									
<p>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</p> <table border="1"> <thead> <tr> <th rowspan="2">Application Type</th> <th colspan="2">FILING FEES</th> <th colspan="2">SEARCH FEES</th> <th colspan="2">EXAMINATION FEES</th> </tr> <tr> <th>Small Entity</th> <th>Fee (\$)</th> <th>Small Entity</th> <th>Fee (\$)</th> <th>Small Entity</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>200</td> <td>100</td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>100</td> <td>50</td> <td>130</td> <td>65</td> </tr> <tr> <td>Plant</td> <td>200</td> <td>100</td> <td>300</td> <td>150</td> <td>160</td> <td>80</td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>600</td> <td>300</td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>100</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p>2. EXCESS CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Fee Description</th> <th>Small Entity</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>Each claim over 20 (including Reissues)</td> <td>50</td> <td>25</td> </tr> <tr> <td>Each independent claim over 1 (including Reissues)</td> <td>200</td> <td>100</td> </tr> <tr> <td>Multiple dependent claims</td> <td>360</td> <td>180</td> </tr> </tbody> </table> <p>Total Claims Extra Claims Fee (\$) Fee Paid (\$)</p> <p>40 - 20 or HP = 7 x 50 = 350.00</p> <p>HP = highest number of total claims paid for, if greater than 20.</p> <p>Total Dep. Claims Extra Claims Fee (\$) Fee Paid (\$)</p> <p>3 - 3 or HP = 3 x 50 = 150.00</p> <p>HP = highest number of independent claims paid for, if greater than 3.</p> <p>3. APPLICATION SIZE FEE</p> <p>If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof</th> <th>Fee (\$)</th> <th>Fee Paid (\$)</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/50 =</td> <td>(round up to a whole number) x</td> <td>=</td> <td>Fee Paid (\$)</td> </tr> </tbody> </table> <p>4. OTHER FEE(S)</p> <p>Non-English Specification, \$130 fee (no small entity discount)</p> <p>Other (e.g., late filing surcharge): Terminal Disclaimer</p>				Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Utility	300	150	500	250	200	100	Design	200	100	100	50	130	65	Plant	200	100	300	150	160	80	Reissue	300	150	500	250	600	300	Provisional	200	100	0	0	0	0	Fee Description	Small Entity	Fee (\$)	Each claim over 20 (including Reissues)	50	25	Each independent claim over 1 (including Reissues)	200	100	Multiple dependent claims	360	180	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)	- 100 =	/50 =	(round up to a whole number) x	=	Fee Paid (\$)
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<p>SUBMITTED BY</p> <table border="1"> <tr> <td>Signature</td> <td>Kirk Dorius</td> <td>Registration No.</td> <td>54,073</td> <td>Telephone (802) 382-6544</td> </tr> <tr> <td colspan="2"></td> <td colspan="2"></td> <td>Date April 20, 2006</td> </tr> <tr> <td colspan="5">Name (Print/Lyn) Kirk Dorius</td> </tr> </table> <p><small>This collection of information is required by 37 CFR 1.13B. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</small></p> <p><small>If you need assistance in completing the form, call 1-800-PTO-4199 and select option 2.</small></p>				Signature	Kirk Dorius	Registration No.	54,073	Telephone (802) 382-6544					Date April 20, 2006	Name (Print/Lyn) Kirk Dorius																																																											
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